IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

REVIEW PETITION LD. NO.56 OF 2004
IN
WRIT PETITION NO.1312 OF 2004

Johnson & Johnson Employees & Ors. ...Petitioners.
Vs.
M/s.Johnson & Johnson Ltd.& Ors. ...Respondents.

....

Mr. Anand Grover i/b. Mr.Lalit Jain for the Petitioners.
Mr.S. M. Naik for Respondent No.1.
Mr. J.P. Cama with Mr.A. M. Kapadia and Mr. G.S. Sheth i/b. Crawford Bayley & Co. for Respondent No.2.

.....

CORAM : DR.D.Y.CHANDRACHUD, J.

December 3, 2004.

P.C.:

Amendment, in terms of draft amendment handed in, is allowed. Amendment to be carried out within one week.

Learned Counsel appearing for the Petitioners has submitted that contrary to the statement which was made in the written submissions which were filed in the Court, the Deed of Assignment has not been registered. Moreover, a search at the office of the Sub Registrar has revealed that though the document has been brought for registration, certain requisitions have been made by the registering authority.

Section 47 of the Registration Act, 1908, provides that a registered document shall operate from the time from which it would have commenced to operate if no registration thereof had been required or made and not from the time of its registration. In other words, once registration has been effected, it will in this case relate back to the execution of the document. The application for registration has already been made. At this stage, I am of the view that no case for the exercise of the jurisdiction in review has been made out. If registration of the document is refused, the Petitioners would be at liberty to espouse such remedies as are available in law arising out of the consequence of non-registration. There is no error apparent in the order of the Court dated 14th July 2004. The Review Petition stands rejected.

.....